SBCivil Writ Petition No.4751/2006

Jamana Lal Kumawat
Vs.
State of Rajasthan & Ors.

Date of Order :: 1st September, 2006

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. Arjun Purohit, for the petitioner.

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By an advertisement dated 28.7.2003 applications were invited by the Director, Secondary Education, Bikaner from eligible desirous candidates for the purpose of appointment to the post of Physical Training Instructor Gr.III. The petitioner in pursuant thereto submitted an application, however, his candidature was not considered by treating the qualification possessed by him i.e. of Senior Secondary (Vocational) as not equivalent to the qualification of Senior Secondary (Academic). The petitioner by instant petition for writ has given challenge to the aforesaid non consideration of his candidature.

It is contended by counsel for the petitioner that in view of the judgment of this Court in the case of Vinod Kumar v. State of Rajasthan and others, reported in 2005(1) WLC(Raj.) 533, the candidature of the petitioner was required to be considered by the respondents.

From perusal of the facts stated above it is apparent that the selection proceedings were initiated by the respondents on 28.7.2003. The selection proceedings acquired finality much back in the year 2004-05 and the petitioner filed this writ petition on 3.8.2006 i.e. after an inordinate delay from the date of conclusion of the selection proceedings. It is well settled that in the matter of selections if any person is having any grievance then he should approach the competent court as early as possible. Delay in such matters is fatal and that disentitles the person concerned for getting any relief.

The present petition for writ suffers from an unexplained inordinate delay, therefore, the same is dismissed.

(GOVIND MATHUR),J.

kkm/ps.